

FOR THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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HANOVER PREST-PAVING CO. t/a	:	
HANOVER ARCHITECTURAL	:	
PRODUCTS,	:	CIVIL ACTION
Plaintiff	:	
	:	NO. 1:21-cv-01672-CCC
vs.	:	
	:	
STATEN ISLAND BUILDING	:	
PRODUCTS DIST INC.	:	
Defendant	:	

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**MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

AND NOW COMES, Plaintiff Hanover Prest-Paving Co. t/a Hanover Architectural Products (“HAP”), by and through its attorneys, Barley Snyder, files this Motion for Leave to File Amended Complaint, stating:

1. This is a patent infringement action arising out of Defendant Staten Island Building Products Dist Inc.’s (“Matrix”) infringement of HAP’s United States Patent No. 7,386,955 (the “Patent”).

2. Since this matter was initiated, Matrix filed *ex parte* reexamination proceeding against the Patent.

3. That proceeding concluded on December 30, 2022 and an Ex Parte Reexamination Certification was issued under No. 7,386,955 C1 (the “Reexam Certificate”).

4. As a result, HAP wishes to amend the Complaint to refer to the Reex Certificate.

5. Additionally, while discovery thus far has been minimal, HAP has discovered the Matrix has been working with a manufacturer and distributor, who are also infringing on its patent.

6. Accordingly, HAP wishes to add the manufacturer and distributor as defendants in this matter.

7. Attached hereto, made a part hereof and marked Exhibit A is the proposed Amended Complaint.

8. Under Federal Rule of Civil Procedure 15(a)(2), the Court is instructed to freely grant leave to file amended pleadings when justice so requires.

9. The parties have not yet engaged in substantive discovery.

10. This matter has been stayed for over a year at Matrix's request.

11. There would be no undue delay in permitting HAP to file its proposed Amended Complaint.

12. Under the facts, justice would be served by allowing HAP to file the Amended Complaint.

WHEREFORE, Plaintiff Hanover Prest-Paving Company respectfully requests that this Honorable Court grant leave for it to file an Amended Complaint in the form of Exhibit A attached to this motion.

BARLEY SNYDER

By: /s/Justin A. Tomevi

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on this day a true and correct copy of the foregoing was served on all parties by ECF.

BARLEY SNYDER LLP

By: /s/ Justin A. Tomevi

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DATE: February 8, 2023